

**UNITED STATES COURT OF APPEALS  
DISTRICT OF COLUMBIA CIRCUIT**

SHAWN MUSGRAVE,

Appellant,

v.

MARK WARNER, *et al.*,

Appellees.

Case No. 22-5252

\* \* \* \* \*

**APPELLANT’S UNOPPOSED *NUNC PRO TUNC* MOTION FOR  
ENLARGEMENT OF TIME WITHIN WHICH TO FILE OPENING BRIEF**

Appellant Shawn Musgrave (“Musgrave”), by and through undersigned counsel, respectfully moves this Court for a retroactive three-hour extension of the deadline for filing his Opening Brief and Joint Appendix, which were due 3 March and were filed 4 March at 2:17 AM and 2:19 AM, respectively, and accordingly requests that the Court accept those filings lodged out of time. Appellees do not oppose this Motion.

Musgrave has good cause for this motion. When the undersigned previously proposed that these filings be due on 3 March, he was unaware that his young child had a scheduled early dismissal on that day from school. Upon learning this information last week, he attempted to complete the filings before Friday, but as

noted previously, he already had several other deadlines that week. Due to this, he was unable to complete his work until after midnight.

This is the fourth extension requested for this Brief.

Date: March 8, 2023

Respectfully submitted,

/s/ Kelly B. McClanahan

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**CERTIFICATE OF COMPLIANCE**

I hereby certify that the foregoing filing contains 277 words, and was prepared in 14-point Times New Roman font using Microsoft Word 2016.

/s/ Kelly B. McClanahan  
Kelly B. McClanahan, Esq.